

To establish a *prima facie* case of obviousness, the applied reference must teach or suggest all the claimed limitations. MPEP § 2143; *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Examiner has not shown, and the references do not in fact show, every limitation recited by the claims. Claims 1 claims “said projection being located in said light shielding region.” Likewise, Claim 11 claims “forming a projection on a flat surface of said planarizing film through said pixel electrode at a position in said light shielding region.” These limitations are found nowhere in the cited references.

Additionally, even if these features were found in the cited art, the Examiner has not provided any suggestion or motivation as to why one skilled in the art would combine Takahashi and Bruzzzone to form a projection located in a light shielding region. Again, the Examiner has not presented a *prima facie* case of obviousness. See MPEP 706.02(j). The Examiner refers to Takahashi as providing reasons for a light blocking layer. None of these reasons include placing a support projection in the light blocking layer. Applicant is not claiming only a light blocking layer and is, instead, claiming a projection located in a light shielding region. Accordingly, Takahashi’s teaching of a light blocking layer does not provide any suggestion or motivation as to why one would place a projection in a light shielding region.

The Examiner further states that “the use of black matrices was well known in the art to the point of being conventional.” Applicant challenges such official notice and requests the Examiner to provide a reference supporting this assertion.” See MPEP 2144.03. As with Takahashi, this statement merely talks to the existence of black matrices, and fails to provide any suggestion or motivation as to why one would position a projection in a light shielding region. Simply, whether black matrices is well known does not bear on whether locating projections in light shielding regions is well known.

With specific reference to Claim 11 and claims depending therefrom, the Examiner does not assert and the cited references do not teach a *method* for making the claimed invention. Contrarily, Claim 11 sets out specific steps to the formation of a projection in a light shielding region. Irrespective of the Examiner’s asserted structural similarities between the cited references and structure Claims 1-10, the Examiner does not assert that the reference teaches any of the claimed steps in the method of manufacturing such a device.

Accordingly, Applicant submits that Claims 1 and 11 and all claims depending therefrom are in a condition for allowance.

Claims 7 and 18

The Examiner rejects Claims 7 and 18 under 35 USC §103(a) as being unpatentable over Wenz et al. (U.S. Patent 5,268,782). The Examiner states that Wenz discloses a micro-ridged polymeric liquid crystal display substrate. However, the Examiner states that Wenz et al suggests that a top substrate could be microstructured similar to the bottom substrate with projections contacting projections 56 and crossing at right angles.

Wenz fails to disclose a common electrode portion located outside of an effective pixel portion, as well as a second projection similar to said projection and a conductive film covering said second projection as recited by Claims 7 and 18. Furthermore, the office action is silent as to whether it is asserted that Wenz contains these features. Accordingly, a *prima facie* case of obviousness has not been made. See MPEP § 2143. Additionally, the only suggestion or motivation provided for the combination of Wenz with the earlier cited references is that “for explanation of the black matrix, see previous rejection.” This does not meet the Examiner’s burden to provide such suggestion or motivation. “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” MPEP § 706.02(j), citing *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). Accordingly, as the reference does not expressly state why one would combine the features of Wenz into any of the earlier cited references to arrive at Applicant’s claimed invention, and the Examiner has not submitted such, Claims 7 and 11 are in a condition for allowance.

Claims 3, 8-10, 14 and 19-21

The Examiner rejects Claims 3, 8-10, 14 and 19-21 under 35 USC §103 as being unpatentable over Katagiri et al (U.S. Patent 4,763,995).

With respect to Claims 14, 19-21, the Examiner merely states that these claims “do not introduce limitations that constitute a patentable distinction over the device of claims 3 and 8-10.” Nowhere is it discussed where these limitations are found in the cited reference and nowhere is any suggestion or motivation pointed out as to why one would combine this reference with any of the earlier cited references. Accordingly, as a *prima facie* case of obviousness has not been made, Applicant submits that Claims 3, 8-10, 14 and 19-21 are in a condition for allowance.

CONCLUSION

For at least the above reasons, Applicants respectfully submits that the present invention, as claimed, is patentable over the prior art. If the Examiner has any issues which he believes can be expedited by a telephone conference, he is encouraged to telephone the undersigned Representative.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

It is believed that any additional fees due with respect to the filing of this paper should be identified in any accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

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